

**ASSEMBLY BILL**

**No. 1104**

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**Introduced by Assembly Members Pan and Dickinson**

February 18, 2011

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An act to amend Section 23665 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1104, as introduced, Pan. Vehicles: driving-under-the-influence (DUI).

Existing law authorizes a court to postpone the revocation or suspension of a person's driving privilege until the term of imprisonment is served if that person was convicted of certain DUI provisions, among other things, and sentenced to serve one year in a county jail or more than one year in the state prison.

This bill would instead require the court to postpone the revocation or suspension of a person's driving privilege until the term of imprisonment is served, and notify the department of the postponement, if that person was convicted of certain DUI provisions and sentenced to serve any time in a county jail or the state prison.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 23665 of the Vehicle Code is amended  
2     to read:  
3     23665. (a) If a person is convicted of a violation of Section  
4     20001, ~~or of Section 23152 or 23153~~ and is sentenced to one year

1 in a county jail or more than one year in the state prison under  
2 Section 23540, 23542, 23546, 23548, 23550, 23550.5, 23552,  
3 23554, 23556, 23558, 23560, 23562, 23566, or 23568, the court  
4 may postpone the revocation or suspension of the person's driving  
5 privilege until the term of imprisonment is served.

6 ~~(b) This section shall become operative on September 20, 2005.~~

7 *(b) If a person is convicted of a violation of Section 23152 or*  
8 *23153 and is sentenced to serve time in a county jail or the state*  
9 *prison under Section 23540, 23542, 23546, 23548, 23550, 23550.5,*  
10 *23552, 23554, 23556, 23558, 23560, 23562, 23566, or 23568, the*  
11 *court shall postpone the revocation or suspension of the person's*  
12 *driving privilege until the term of imprisonment is served and shall*  
13 *notify the department of the postponement.*